

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

KENTA SETTLES,)	
)	
Plaintiff,)	
)	CASE NO. 1:20-cv-01288
v.)	
)	JUDGE DONALD C. NUGENT
MICHAEL MALAK, <i>et al.</i> ,)	
)	
Defendants.)	

**MOTION OF DEFENDANTS PATROLMAN MICHAEL MALAK, PATROLMAN
ROBERT PITTS, PATROLMAN BRIAN REGOVICH, PATROLMAN ROB
JARZEMBAK, SERGEANT WILLIAM GALL, LIEUTENANT TODD VARGO, AND
THE CITY OF GARFIELD HEIGHTS TO CONSOLIDATE CIVIL ACTION NOS.
1:20-CV-01288-DCN AND 1:20-CV-01631-SO**

Defendants, Patrolman Michael Malak, Patrolman Robert Pitts, Patrolman Brian Regovich, Patrolman Rob Jarzembak, Sergeant William Gall, Lieutenant Todd Vargo, and the City of Garfield Heights, respectfully move this Honorable Court for an order pursuant to Fed. R. Civ. P. 42(a) and Northern District of Ohio Local Rule 3.1 consolidating the recently-filed case of *Settles v. City of Garfield Heights, et al.*, N.D. Ohio No. 1:20-cv-01631-SO with the above-captioned civil action.

For the sake of judicial economy, Defendants have attached their contemporaneously filed Motion to Consolidate in case no. 1:20-cv-01631-SO as **Exhibit A** to the instant Motion and incorporate it by reference herein. Defendants have also included as **Exhibit B** to this Motion a copy of Plaintiff's Complaint in case no. 1:20-cv-01631-SO. Finally, Defendants have attached their Motion to Dismiss Plaintiff's Complaint in case no. 1:20-cv-01631-SO as **Exhibit C**.

Dated: July 29, 2020

Respectfully submitted,

/s/ Daniel J. Rudary

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Counsel for Defendants Michael Malak, Robert Pitts, Brian Regovich, Rob Jarzembak, William Gall, Todd Vargo, and the City of Garfield Heights

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of July, 2020, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Daniel J. Rudary

Counsel for Defendants Michael Malak, Robert Pitts, Brian Regovich, Rob Jarzembak, William Gall, Todd Vargo, and the City of Garfield Heights

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